

REQUEST FOR EXPRESSIONS OF INTEREST FOR TREATMENT OF CONTAMINATED MIXED LOW-LEVEL WASTE AND OTHER WASTES

The U.S. Department of Energy (DOE), Office of Environmental Management (EM) is seeking qualified businesses (including teams or joint ventures) to perform cost-effective commercial treatment of liquid and solid polychlorinated biphenyl (PCB), Toxic Substances Control Act (TSCA), mixed low-level waste (MLLW) and other low-level wastes. This announcement is part of market research and anticipated responses are sought to identify sources that have the comprehensive knowledge, skills, and capacity to perform these requirements.

DOE requests qualified, interested parties to demonstrate that they have, or will have, the capability and required authorizations, licenses, permits, facilities, personnel, and equipment to accomplish the acceptance, transportation, storage, repackaging and treatment of DOE wastes. This includes development and maintenance of treatment plans, coordination and notification of regulators, and disposition of all residual, byproduct and secondary wastes. The tentative period of performance is FY 2009-2018.

Attachment 1 includes current estimates of volumes, by assumed general treatment technology that may be generated through DOE mission activities, including environmental cleanup. This data is based on the waste forecasts contained in the Department's baseline disposition data (2007) and provides a bounding case for planning purposes. The estimates reflect preliminary processes and plans, informed by past experience. Attachment 2, Table 1 provides waste estimates that are currently planned to be treated by the Oak Ridge Toxic Substances Control Act Incinerator (TSCAI). This data is excerpted from the Department's current TSCAI Burn Plan and forecasts of potential wastes. The Department is especially interested in obtaining industry input on the feasibility of commercial treatment of these types of wastes, as TSCAI may cease operations in the near future. Attachment 2, Table 2 provides other future wastes which currently have no final disposition path. Parties are encouraged to provide alternative disposition strategies for any wastes that may not require licensed treatment and disposal. The volumes in the attachments are DOE volumes only. In accordance with the Economy Act, DOE is authorized to allow other federal agencies to utilize DOE contract vehicles" as provided for in FAR 17.5, but DOE will not seek waste volumes from other Federal Agencies for solicitation purposes.

The Department desires to better understand the capability of the private sector to handle these challenges. The Department solicits your organization's ideas, opinions, and interest in participating in all or part of the Department's treatment of the PCB, TSCA and MLLW. Information provided in response to this Expressions of Interest (EOI) will assist the Department in determining the best acquisition approach.

DOE reserves the right to use any and all information submitted by, or obtained from, an interested party in any manner DOE determines is appropriate, including, but not limited to, the creation of a competitive solicitation. An interested party should avoid including any classified, business confidential, and/or proprietary information in its response to the EOI. However, if an interested party must submit such information, the information must be clearly marked accordingly, and the interested party must provide sufficient justification as to why such information is business confidential and/or proprietary. DOE will review such information and safeguard it appropriately.

The Department is seeking interested companies, including small business and small business teams (i.e., small disadvantaged, 8(a), women owned, Hubzone, service-disabled veteran-owned, and participants in a Mentor-Protégé program, etc.) with specialized capabilities to meet all, or part of, the above requirements. Interested firms with the experience, expertise and licensed or permitted capability to perform this work shall provide a summary of their capabilities, experience and/or expertise in this type of work. To the extent that businesses do not currently have the technical and regulatory capability, planned future capabilities may be identified, but must be clearly labeled as planned, and a forecast schedule must be provided. The capability information should be structured in accordance with Attachment 3. Responses shall include a statement of whether they are a large business or a Small Business Concern. Responses should also include a point of contact. Responses shall be provided No Later Than April 11, 2008. Interested offerors shall provide name, phone and address of firm, NAICS Code, CAGE Code, and/or a DUNS Number, and detailed information demonstrating their understanding of the work requirements identified above as well as their qualifications, capabilities, experience and past performance history for such work. All submissions shall be electronic, limited to 20 pages, with font no smaller than 12 pitch.

The Department is considering firm fixed unit pricing for established treatment types and is seeking market interest. Respondents are encouraged to submit with their response a listing of the treatment types that are strong candidates for this type of pricing. Respondents are also encouraged to provide comments on the following provisions that may be included in future solicitations involving radioactive waste:

Article 1. 52.217-9 Option to Extend the Term of the Contract. (Mar 2000) (Tailored)

(a) The Government may extend the term of this contract by written notice to the Contractor within 120 days of the end of the current period of performance; provided that the Government gives the Contractor a preliminary written notice of its intent to extend at least 60 days before the contract expires. The preliminary notice does not commit the Government to an extension.

(b) If the Government exercises this option, the extended contract shall be considered to include this option clause.

(c) The total duration of this contract, including the exercise of any options under this clause, shall not exceed 10 years.

Article 2. Price Schedule - Treatment Services

The fixed unit prices for each CLIN are listed in the contract schedule. The “*Quantity Breakpoints/Discounts*” listed in the Schedule are based on estimated cumulative volumes to be treated under this contract from all DOE and other Federal Waste Generators. When the contract Breakpoint/Discount quantity is attained (without regard to base period or option period), the price decreases in accordance with the Schedule and becomes immediately effective to existing and future orders under this contract.

Article 3. Most Favorable Rate

The contractor shall always provide the parties covered under this contract (Federal Government, DOE, DOE Prime contractors, and DOE sub-contractors) the lowest priced unit rates (by CLIN) afforded to any of its customers. If at anytime the contractor provides a lower rate to a customer outside of this contract the contractor shall notify the Administrative Contracting Officer within 3 workdays. The lower rate shall be applied to this contract by

way of a bi-lateral contract modification within 30 days of the utilization of the lower rate. The new lower rate shall be made retroactive to the date that the contractor afforded the lower rate to customer(s) outside of this contract. Any Order in effect at the time of the price change shall be modified or adjusted as required to reflect the new lower rate. The contractor shall make every attempt to invoice at the lower rate. If an invoice goes out prior to making the proper downward adjustment the contract shall make an appropriate refund.

Article 4. 52.212-2 Evaluation - Commercial Items. (Jan 1999) (Tailored)

The Government will award a contract resulting from this solicitation to the responsible offeror(s) whose offer conforming to the solicitation will be most advantageous to the Government, price and other factors considered. The following factors shall be used to evaluate offers:

Technically Acceptable (all factors are pass/fail and required)

- Current License for treatment of waste type proposed (by CLIN)
- Previous experience treating waste type proposed (includes predecessor companies)
- Acceptable Past Performance

Lowest price(s)

- Determined by individual CLIN
- May include the lowest or lowest 2 – 4 prices per CLIN

Article 5. Ordering by non-DOE activities under the Economy Act

In accordance with FAR 17.5, use of this contract by agencies outside of the DOE is subject to mutual agreement. The act of placing an order against this contract by a non-DOE agency shall be considered an acceptance of the terms, conditions, and pricing provided for in this contract and shall constitute a mutually binding agreement between the agencies. Each order shall be placed directly between the requesting agency and the contractor. The DOE (Servicing agency) will not provide individual contract actions for non-DOE activities.

For information purposes only, contractors operating under NAICS Code 562211 “**Hazardous Waste Treatment and Disposal**” may be eligible for liability protections under the Department of Homeland Security’s “Support Anti-terrorism by Fostering Effective Technologies Act of 2002 (the Safety Act). More information can be found at: <https://www.safetyact.gov/>

This is NOT a Request for Proposals. DOE personnel may contact firms responding to this announcement to clarify a responder’s capabilities and other matters as part of this market research process. Responses must be submitted via e-mail to: mllwtreatment@emcbc.doe.gov

The following website provides additional information concerning this Sources Sought/ Expression of Interest: http://www.emcbc.doe.gov/mllw_treatment/

For administrative questions regarding this announcement, please contact David Hills via e-mail at david.hills@emcbc.doe.gov or telephone at (513) 246-0565.

Attachment 1 – Upper Bound of DOE LLW and MLLW Volumes Requiring Treatment by Fiscal Year (cubic meters)¹

Types of Treatment	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Total 2009-2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	Total 2014-2018
LLW												
Compaction	566	572	566	586	592	2,882	619	623	628	729	695	3,294
Incineration	14	17	1	1	1	34	1	1	1	1	1	5
Metal Melt	137	143	133	133	133	679	133	133	133	133	133	665
Other Thermal Treatment	622	628	567	587	593	2,997	620	624	629	1,011	977	3,861
Sort/Segregate	206	-	-	-	-	206	-	-	-	-	-	-
Stabilization	90	87	4	4	4	189	4	4	4	4	4	20
TBD ²	2,343	1,884	2,032	2,399	2,055	10,713	1,918	1,826	1,826	1,455	1,020	8,045
MLLW												
Incineration	169	27	14	14	14	238	14	14	23	23	23	97
Macroencapsulation	1,265	941	403	502	509	3,619	608	576	459	669	571	2,883
Neutralization	50	50	50	0	0	150	0	0	0	0	0	0
Other Thermal Treatment	119	45	21	22	18	225	18	22	22	24	25	111
Stabilization	184	97	45	41	43	410	39	61	104	43	42	289
TBD ²	6,769	4,246	1,363	765	556	13,699	553	556	163	586	586	2,444

- 1 Estimates are based on 2007 Waste Information Management System data (<http://wims.arc.fiu.edu/wims>), reflective of preliminary processes and plans and informed by past experience.
 - Volume estimates do not recognize treatment contracts or agreements already in place.
 - MLLW includes a variety of Waste Categories (potential CLINs), e.g., Non-PCB, TSCA & RCRA PCB, RCRA metals, combustible, non-combustible, soils, sludges, solids, debris, organic constituents, Mercury > 260 ppm, Mercury < 260 ppm, Elemental Mercury, EPA waste codes for Ignitability (D001), Corrosivity (D002), Reactivity (D003), Toxicity due to contamination with RCRA-regulated toxic metals and organic compounds (D004 through D043), F, K, P, and U, Labpacks, aerosol cans, combustible liquids (non-wastewaters), non-combustible liquids (may be wastewaters, metal bearing inorganic wastes, liquid aqueous and organic RCRA non-wastewaters, slurries, and wastewaters.
- 2 Note: DOE has not yet identified a preliminary treatment pathway for much of the estimated waste volumes.

Attachment 2 – Examples of Wastes Planned to be Treated by TSCA Incinerator*

Table 1	
TSCAI Treatment	Estimated 2008-2010 (pounds)
LIQUIDS	
Savannah River Aqueous with PCBs	29,000
West Valley PCB Liquid	1,400
INEL PCB Liquid	15,000
Oak Ridge Z-Oil	240,000
Paducah TSCAI LO8-01	25,000
Paducah TSCAI LO9-01	25,000
Oak Ridge Poplar Creek Liquids	54,000
Y-12 Liquids	9,000
Portsmouth Pyranol	940,000
Portsmouth Lube Oil	40,000
SOLIDS	
Paducah 0205 Sludge	5,700
Y-12 Combustible Debris	15,000
Y-12 Carbon	22,000
Paducah TSCAI S06-01	10,000

*** Estimates are from FY 2007-2009 Burn Plan**

Table 2	
Estimates Beyond 2010 (pounds)	
LIQUIDS	
2010-2019: Various Liquids (Newly generated PCB liquids primarily from trough maintenance/draining/spills)	4700 gallons
2010-2019: Spill Cleanup (Newly generated PCB soft solids primarily from trough maintenance/draining/spills)	4000 cubic feet
2017-2040: PGDP D&D PCB Liquids (95,000 gal from Transformers >500ppm; 2,300 gal from PCB Contaminated Transformers >50<500ppm; 2,100 gal from Contaminated Electrical Equipment >50<500ppm; 1,900 gal from PCB Capacitors).	12,000 tons (7,300 m3)

*** Estimates are from Paducah outyear baseline.**

Attachment 3 – Content of Response to Request for Expressions of Interest

Interested parties are invited to provide the following information as appropriate and as applicable:

A. General Description of Company.

1. Company name and mailing address; Point of contact (name, title, telephone number).
2. Dun and Bradstreet DUNS number.
3. Socio-economic status (small business, service-disabled/veteran-owned small business, HUBZone small business, small disadvantaged business, and/or woman-owned small business, or large business). The small business size limit for NAICS Code 562211 “Hazardous Waste Treatment and Disposal” is \$11.5M in annual revenues.
4. General company treatment facility background and operations statements.
5. Corporate liability insurance (e.g., nuclear, pollution, excess liability, etc.).

B. Capability to Meet Requirements of the Contemplated Scope of Work.

1. Identify the treatment and/or disposition capabilities which you have, or will shortly have, for the estimated volumes and waste categories, all, or in part, in Attachment 1 and Attachment 2, e.g., Non-PCB, TSCA & RCRA PCB, RCRA metals, combustible, non-combustible, soils, sludges, solids, debris, organic constituents, Mercury > 260 ppm, Mercury < 260 ppm, Elemental Mercury, EPA waste codes for Ignitability (D001), Corrosivity (D002), Reactivity (D003), Toxicity due to contamination with RCRA-regulated toxic metals and organic compounds (D004 through D043), F, K, P, and U, labpacks, aerosol cans, combustible liquids (non-wastewaters), non-combustible liquids (may be wastewaters, metal bearing inorganic wastes), liquid aqueous and organic RCRA non-wastewaters, slurries, and wastewaters.
2. List of current and/or planned permits and/or licenses for possessing, handling and treating the material in which your company is interested.
3. Description of your organization’s approach to accept, transport, store, repackage, treat, or otherwise disposition these DOE wastes.
4. The estimated capacity/throughput of the technical approach.
5. Provide schedule information with regard to capabilities for waste streams of interest. For businesses which do not currently have technical or regulatory capability, but will in the near future, include a forecast schedule as to when these capabilities will be available to treat the proposed waste.
6. Describe all residual, byproduct and secondary waste, and the approach to treat or dispose of this waste. This may include storage, transportation and packaging of this treated material.
7. Describe operating or proposed facilities and wastes currently being treated and associated regulatory requirements.
8. Identify any challenges and risks in applying the approach. Identify how your organization would minimize these risks.
9. Identify general waste acceptance criteria for the treatment approach.
10. Identify applicable laws, regulations and statutes, and the status of your associated permits. Identify all National Environmental Policy Act (NEPA) and regulatory issues that would need to be addressed relative to interested party’s approach.
11. Brief Experience and Performance Record (past five years). Identify all DOE, other Government, or other commercial experience relevant to this EOI (include contract number, date, scope, duration, client, and contracting agency contact).

C. Unique Contract Terms and Conditions

1. Provide comments on which treatment types could be candidates for firm fixed unit pricing
2. Provide comments on the potential contract special provisions.